

Approved:


SARAH L. KUSHNER
Assistant United States Attorney

Before:

THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

23 MAG 6051

UNITED STATES OF AMERICA

v.

TIMOTHY GLOVER,
Defendant.

SEALED COMPLAINT

Violations of 18 U.S.C. § 922(g)

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

DAVID BONACARTI, being duly sworn, deposes and says that he is a Task Force Officer with the Federal Bureau of Investigation (“FBI”), and charges as follows:

COUNT ONE
(Possession of Ammunition After a Felony Conviction)

1. On or about January 24, 2023, in the Southern District of New York and elsewhere, TIMOTHY GLOVER, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, a 9mm caliber shell casing, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT TWO
(Possession of Ammunition After a Felony Conviction)

2. On or about May 28, 2023, in the Southern District of New York and elsewhere, TIMOTHY GLOVER, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, two 9mm caliber shell casings, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT THREE
(Possession of Ammunition After a Felony Conviction)

3. On or about July 21, 2023, in the Southern District of New York and elsewhere, TIMOTHY GLOVER, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, six 9mm caliber shell casings, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I have been involved in the investigation of this matter, and I base this affidavit on that experience, as well as on my conversations with other law enforcement agents, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Based on my review of law enforcement reports and records, including shot-spotter reports and lab reports, my review of video surveillance, and my conversations with other law enforcement officers, including those who have spoken with civilian witnesses, I have learned, among other things, the following:

The January 24, 2023 Shooting

6. On or about January 24, 2023, at approximately 12:10 a.m., the New York City Police Department (“NYPD”) received a shot-spotter alert, notifying the NYPD of multiple shots fired (“Shooting-1”) in front of a particular address on East 211th Street in the Bronx, New York. NYPD officers responded to the alert and recovered approximately six 9 millimeter shell casings from the scene.

7. Based on my review of video surveillance obtained from the exterior of buildings located on East 211th Street, I know that on or about January 24, 2023, at approximately the same time as the shot-spotter, the following individual (“Individual-1”) was captured on video surveillance carrying a dark-silver colored handgun at the location of the shooting on East 211th Street, in the vicinity where the shell casings were later recovered:



8. For the reasons explained below, I believe that Individual-1 is TIMOTHY GLOVER, the defendant, and that GLOVER committed Shooting-1.

May 28, 2023 Shooting

9. Based on my review of video surveillance and my review of law enforcement reports, I have learned, among other things, that:

a. On or about May 28, 2023, at approximately 7:14 p.m. and 7:17 p.m., respectively, TIMOTHY GLOVER, the defendant, fired two gunshots (“Shooting-2”) into the air on Radcliff Avenue in the Bronx, New York, right in front of the building (the “Building”) in which GLOVER has lived for at least approximately three years. Shooting-2 was captured on video surveillance and detected on an NYPD shot-spotter. Below are still shots from the video surveillance of GLOVER carrying out Shooting-2, wearing a light-colored sweatshirt, light-colored shorts, and a dark head wrap:

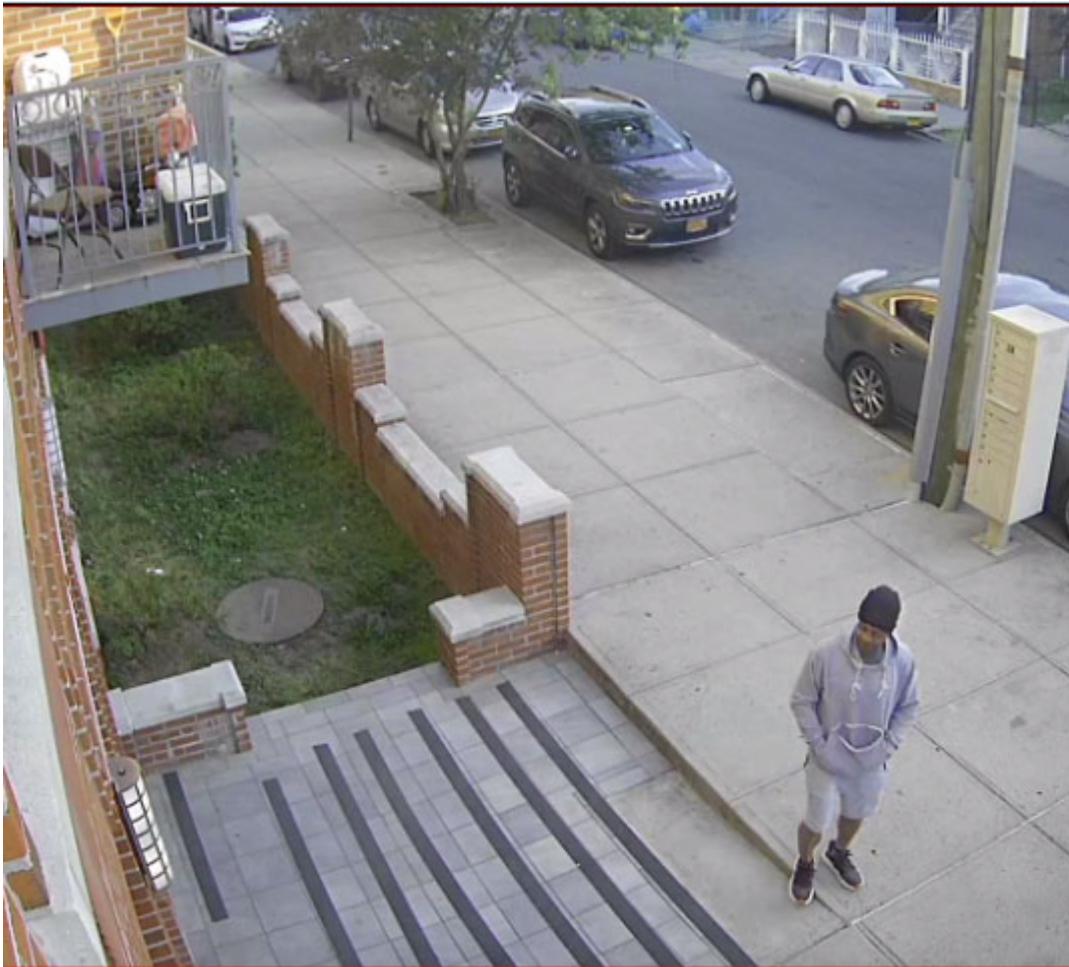


b. Below is a screenshot from the video surveillance of GLOVER pacing in front of the Building, between approximately 7:15 p.m. and 7:17 p.m., in between firing the first and second shots in Shooting-2:



c. Below are screenshots from video surveillance of GLOVER pacing in front of the Building, at approximately 7:18 p.m. and 7:20 p.m., respectively, immediately after firing the second shot in Shooting-2:





d. Shortly after Shooting-2, at approximately 7:25 p.m., GLOVER is captured on video surveillance reentering the Building and then back inside the Building, wearing the same sweatshirt, shorts, and head wrap he wore during Shooting-2. Below are screenshots from that video surveillance:





10. Based on my review of law enforcement reports and my conversations with other law enforcement agents, I have learned, among other things, that a neighbor (“Witness-1”) of TIMOTHY GLOVER, the defendant, from the Building heard gun shots at the time of Shooting 2, at which point, Witness-1 looked outside Witness-1’s window and observed GLOVER pacing on the sidewalk. Witness-1 then recovered shell casings from the street that were left behind from Shooting-2 and provided them to law enforcement.

July 21, 2023 Shooting

11. Based on my review of video surveillance obtained from the Building and from a laundry mat (the “Laundry Mat”) located on the same street as the Building, I have learned, among other things, the following:

a. On or about July 21, 2023, at approximately 10:01 p.m., an individual (“Individual-2”) was sitting outside the Building, wearing a sweatshirt, shorts, and a dark head wrap; at approximately 10:08 p.m., Individual-2 returned to the Building, and then proceeded to walk in the direction of the Laundry Mat. Below is a screenshot from the video surveillance of Individual-2 in front of the Building at approximately 10:08 p.m.:



b. At approximately 10:09 p.m., on the street right near the Laundry Mat, Individual-2 fired one gunshot into the air (“Shooting-3”). Shooting-3 was captured on video surveillance from the Laundry Mat. Below is a screenshot from that video surveillance of Individual-2 with his arm up, firing a handgun in the air:



12. Based on my review of law enforcement reports and my conversations with other law enforcement agents, I have learned, among other things, that another individual (“Witness-2”) who lives in the same neighborhood as TIMOTHY GLOVER, the defendant, observed Shooting-3 and recognized GLOVER as the shooter.

13. Based on my review of law enforcement reports, I know that Shooting-3 also activated an NYPD shot-spotter, and NYPD officers recovered shell casings from the scene of Shooting-3.

14. As noted above, Shooting-3 was captured on the Laundry Mat’s video surveillance. An employee (“Witness-3”) at the Laundry Mat, who provided the video surveillance of Shooting-3 to law enforcement, recognized the shooter as TIMOTHY GLOVER, the defendant, who Witness-3 knows because GLOVER is a customer of the Laundry Mat.

15. Based on my review of law enforcement reports and my conversations with other law enforcement agents, I have learned, among other things, that Witness-3 told law

enforcement officers that TIMOTHY GLOVER, the defendant, frequented the Laundry Mat on or about July 24, 2023, that is, three days after Shooting-3, which I have confirmed based on video surveillance of GLOVER from inside the Laundry Mat that day. Below is a screenshot from that video surveillance of GLOVER inside the Laundry Mat on July 24:



16. Based on my comparison of the above-described video surveillance of Individual-2 at the time of Shooting-3 and video surveillance of TIMOTHY GLOVER, the defendant, including video surveillance of GLOVER engaged in Shooting-2 and photographs of GLOVER obtained from law enforcement records, as well as witness statements, and for the additional reasons explained below, I believe that Individual-2 is TIMOTHY GLOVER, the defendant, and that GLOVER committed Shooting-3.

GLOVER Committed All Three Shootings

17. Based on my conversations with other law enforcement officers and my review of law enforcement reports, I know that the shell casings that were recovered from Shootings-1, -2, and -3 were all 9 millimeter luger ammunition, and that the shell casings recovered from Shootings-2 and -3 were both specifically FC 9 millimeter luger ammunition. Moreover, based on an analysis of the markings on the shell casings, I know that the shell casings collected from Shootings-1 and -3 were discharged from the same firearm.¹

¹ The testing for the shell casings from Shooting-2 were not complete at the time of this Complaint.

18. Based on my review of video surveillance of Individual-1 from around the time of Shooting-1, I know that Individual-1 was carrying a dark-silver colored gun at the time of Shooting-1. Similarly, based on my review of video surveillance of GLOVER during Shooting-2, I know that GLOVER was carrying a dark-silver colored gun at the time of Shooting-2. Accordingly, I believe that the handgun used in Shootings-1 and -2 were the same handgun.

19. Based on the above, I believe that Individual-1 and Individual-2 were both GLOVER, and that GLOVER, in addition to carrying out Shooting-2, as caught on video surveillance, also carried out Shootings-1 and -3.

20. Based on my conversations with other law enforcement officers and my review of law enforcement reports, I know that the rounds of ammunition that were recovered from Shootings-1, -2, and -3, were not manufactured in New York State.

GLOVER's Prior Felony Convictions

21. Based on my review of criminal history records, I have learned, among other things, the following:

a. On or about September 5, 2019, TIMOTHY GLOVER, the defendant, was convicted upon a plea of guilty of criminal mischief in the second degree, in violation of New York Penal Law § 145.10, a felony that carries a maximum term of imprisonment of more than one year. That same day, GLOVER was sentenced to a nine months' imprisonment.

b. On or about December 13, 1994, TIMOTHY GLOVER, the defendant, was convicted upon a plea of guilty of three counts of attempted robbery in the first degree, in violation of New York Penal Law § 160.15, a felony that carries a maximum term of imprisonment of more than one year. That same day, GLOVER was sentenced to a term of imprisonment of three to six years on all three counts.

c. On or about April 20, 1993, TIMOTHY GLOVER, the defendant, was convicted upon a plea of guilty of (1) criminal possession of a controlled substance in the third degree, in violation of New York Penal Law § 220.16, a felony that carries a maximum term of imprisonment of more than one year, and (2) criminal possession of narcotics in the fourth degree, in violation of New York Penal Law § 220.09, a felony that carries a maximum term of imprisonment of more than one year. That same day, GLOVER was sentenced to a term of imprisonment of 18 to 54 months on both counts.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of TIMOTHY GLOVER, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/David Bonacarti w/ permission

David Bonacarti
Task Force Officer
Federal Bureau of Investigation

Sworn to me through the transmission of
this Complaint by reliable electronic
means (telephone), this 14 day of August, 2023.

Katharine H. Parker
THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York